

### **IN THE CLAIMS**

Please amend the claims as shown below.

1. (Original) A method to process a billing failure in a network-based commerce facility, the method including:

receiving a billing failure indicator from a billing facility, the billing failure indicator being associated with a transaction processing method utilized by a user when conducting a user transaction;

automatically without human intervention identifying at least one alternative transaction processing method that is valid for the user; and

automatically communicating the at least one alternative transaction processing method to an associated billing facility for billing.

2. (Original) The method of claim 1, which includes retrieving the at least one alternative transaction processing method from a database of predetermined transaction processing methods associated with one of a merchant and a user.

3. (Original) The method of claim 1, wherein identifying the at least one alternative transaction processing method includes generating a reliability score value utilizing user information, and selecting a transaction processing method that includes favorable reliability score.

4. (Original) The method of claim 1, wherein the at least one alternative transaction processing method is one of a plurality of transaction processing methods presented to the user when the user initially concluded the user transaction.

5. (Original) The method of claim 1, which includes:

identifying the at least one alternative transaction processing method from user information associated with the user; and

updating the user information in response to the billing failure for use with future user transactions.

6. (Original) The method of claim 1, wherein the plurality of alternative transaction processing methods includes at least one of a credit card option, a phone bill option, an ACH option, a transaction processing by check option, a direct bill option, and a prepayment option.

7. (Currently amended) The method of claim 1, wherein identifying the at least one alternative transaction processing method includes identifying a transaction processing method utilizing at least one of vendor payment option preference criteria, consumer criteria, type of purchase event criteria, and purchaser payment psychology.

8. (Original) The method of claim 1, which includes communicating billing failure data to a merchant with which the user transaction was conducted, the billing failure data identifying the alternative transaction processing method.

9. (Original) The method of claim 1, which includes sending an electronic communication to the user indicating that the transaction has been billed using the alternative transaction processing method.

10. (Original) The method of claim 1, wherein the alternative transaction processing method is a direct bill, the method including mailing the direct bill to an address that is generated using information associated with the transaction processing method.

11. (Original) The method of claim 1, wherein the first transaction processing method and the at least one alternative transaction processing method are payment methods that are pre-authorized by the user.

12. (Original) A system to process a billing failure in a network-based commerce facility, the system including:

a communication module to receive a billing failure indicator from a billing facility, the billing failure indicator being associated with a transaction processing method utilized by a user when conducting a user transaction; and

a billing failure engine to automatically without human intervention identify at least one alternative transaction processing method that is valid for the user, the at least one alternative transaction processing method being operatively communicated to an associated billing facility for billing.

13. (Original) The system of claim 12, wherein the at least one alternative transaction processing method is retrieved from a database of predetermined transaction processing methods associated with the user.

14. (Original) The system of claim 12, wherein identifying the at least one alternative transaction processing method includes generating a reliability score value utilizing user information, and selecting a transaction processing method that includes favorable reliability score.

15. (Original) The system of claim 12, wherein the at least one alternative transaction processing method is one of a plurality of transaction processing methods presented to the user when the user initially concluded the user transaction.

16. (Original) The system of claim 12, wherein:

the at least one alternative transaction processing method is identified from user information associated with the user; and

the user information is updated in response to the billing failure for use with future user transactions.

17. (Original) The system of claim 12, wherein the plurality of alternative transaction processing methods includes at least one of a credit card option, a phone bill option, an ACH option, a payment by check option, a direct bill option, and a prepayment option.

18. (Currently amended) The system of claim 12, wherein identifying the at least one alternative transaction processing methods includes identifying a transaction processing method utilizing ~~at least one of vendor payment option preference criteria, consumer criteria, type of purchase event criteria, and purchaser payment psychology.~~

19. (Original) The system of claim 12, wherein billing failure data is communicated to a merchant with which the user transaction was conducted, the billing failure data identifying the alternative transaction processing method.

20. (Original) A machine-readable medium for embodying a sequence of instructions that, when executed by a machine, cause the machine to:

receive a billing failure indicator from a billing facility, the billing failure indicator being associated with a transaction processing method utilized by a user when conducting a user transaction via a network-based commerce facility; and

automatically without human intervention identify at least one alternative transaction processing method that is valid for the user, the at least one alternative transaction processing method being operatively communicated to an associated billing facility for billing.

21. (Original) The machine-readable medium of claim 20, wherein the at least one alternative transaction processing method is retrieved from a database of predetermined transaction processing methods associated with the user.

22. (Original) The machine-readable medium of claim 20, wherein identifying the at least one alternative transaction processing method includes generating a reliability score value utilizing user information, and selecting a transaction processing method that includes favorable reliability score.

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23. (Original) The machine-readable medium of claim 20, wherein the at least one alternative transaction processing method is one of a plurality of transaction processing methods presented to the user when the user initially concluded the user transaction.
24. (Original) The machine-readable medium of claim 20, wherein:
- the at least one alternative transaction processing method is identified from user information associated with the user; and
  - the user information is updated in response to the billing failure for use with future user transactions.
25. (Original) The machine-readable medium of claim 20, wherein the plurality of alternative transaction processing methods includes at least one of a credit card option, a phone bill option, an ACH option, a payment by check option, a direct bill option, and a prepayment option.
26. (Currently amended) The machine-readable medium of claim 20, wherein identifying the at least one alternative transaction processing method includes identifying a transaction processing method utilizing ~~at least one of vendor~~ payment option preference criteria, consumer criteria, type of purchase event criteria, and purchaser payment psychology.
27. (Original) The machine-readable medium of claim 20, wherein billing failure data is communicated to a merchant with which the user transaction was conducted, the billing failure data identifying the alternative transaction processing method
28. (Original) A system to process a billing failure in a network-based commerce facility, the system including:
- means to receive a billing failure indicator from a billing facility, the billing failure indicator being associated with a transaction processing method utilized by a user when conducting a user transaction; and

means to automatically without human intervention identify at least one alternative transaction processing method that is valid for the user, the at least one alternative transaction processing method being operatively communicated to an associated billing facility for billing.